

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION NO. 20 OF 1996

For Approval & Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether reporters of local papers may be allowed to see the judgment ?
 2. To be referred to the reporters or not ?
 3. Whether their lordships wish to see the fair copy of the judgment ?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950, or any order made thereunder ?
 5. Whether it is to be circulated to the Civil Judge?

Amishbhai D. Mehta
VERSUS
Viral Castrochem Pvt. Ltd.

Appearance:

Mr.UI Vyas for petitioner
None present for Respondent

Coram: MR.JUSTICE S.K. Keshote,J
Date of decision:30/12/1999

C.A.V. JUDGMENT

#. Heard the learned counsel for the petitioner.

#. As usual what it happens and it has in fact happened in this case, that the execution of decree which has been passed against the father of the petitioner as per his own case is sought to be objected by son, the petitioner herein.

#. The learned counsel for the petitioner repeated the only contention that decree was not against the petitioner but if we go by the facts of this case, it is clearly borne out that the petitioner has in fact compromised the matter and towards full and final settlement two cheques have been given to the bailiff. There is a document also on the record to this extent. It is a different matter that at that stage, he has backed out from this and filed objections. The learned counsel for the petitioner has given out that these two cheques were forcibly taken by the judgment creditor from him but though it is easy to contend, but difficult to establish as what it has not been done in the present case. It is a case where the court below is perfectly legal and correct in its approach and rightly the objections filed by the petitioner are rejected.

#. In the result, this revision application fails and the same is dismissed. As no one is present for respondent, no order as to costs. Rule discharged.

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[sunil]